

UNITED STATES DISTRICT COURT
for
WESTERN DISTRICT OF TENNESSEE

U.S.A. vs. Ralph Bernard Bruno

FILED BY JE D.C.
Docket No. 90-20097-03†
Docket No. 90-20259-02 SEP -6 AM 8:26

Petition on Probation and Supervised Release

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TN, MEMPHIS

COMES NOW Lorin J. Smith, PROBATION OFFICER OF THE COURT presenting an official report upon the conduct and attitude of Ralph Bruno, who was placed on supervision by the Honorable Jerome Turner, United States District Judge, sitting in the Court at Memphis, Tennessee* on the 8th day of February 1991, and the 22nd day of February 1991, who fixed the period of supervision at **four (4) years† and two (2) years†† to run concurrently, and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

1. The defendant shall submit to random urine screens, and participate in drug abuse programs as directed by the probation office. (Docket number 90-20097-03)
2. The defendant is to seek and engage in some type of employment during the supervised release period. (Docket number 90-20259-02)

****Supervised Release began on March 3, 2004.**

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:
(If short insert here; if lengthy write on separate sheet and attach)

SEE ATTACHED

PRAYING THAT THE COURT WILL ORDER that SUMMONS be issued for Ralph to appear before the United States District Court to answer to charges of Violation of Supervised Release.

BOND: _____

ORDER OF COURT

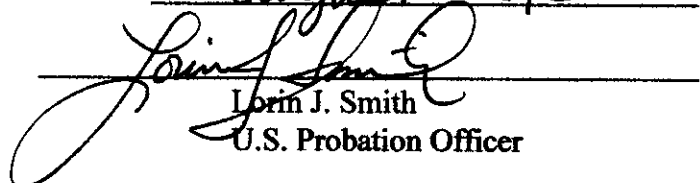
Considered and ordered this 22 day of Sept., 2005, and ordered filed and made a part of the records in the above case.



United States District Judge

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 26, 2005


Lorin J. Smith
U.S. Probation Officer

Place: Memphis, Tennessee

RE: Ralph Bernard Bruno
Docket No. 90-20097-03 and 90-20259-02
Probation Form 12
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RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

THE DEFENDANT HAS VIOLATED THE FOLLOWING CONDITIONS OF SUPERVISED RELEASE:

The defendant shall refrain from the unlawful use of a controlled substance.

Ralph Bruno tested positive for the use of marijuana on November 13, 2004, March 31, 2005, May 17, 2005 and June 20, 2005.

The defendant shall participate in drug testing and treatment as directed by the probation officer.

Ralph Bruno was referred to the Memphis Alcohol and Drug Counsel (MADC) for drug treatment on March 3, 2004. Mr. Bruno missed five group sessions between April 20, 2005 and July 20, 2005.

Mr. Bruno was discharged from treatment on August 3, 2005 for non-compliance.

VIOLATION WORKSHEET

1. Defendant: Ralph Bernard Bruno, 1793 Keltner Circle #8 , Memphis, TN 38114

2. Docket Number 90-20097-03 and 90-20259-02

3. District/Office: Western District of Tennessee, Memphis

4. Original Sentence Date	<u>February</u>	<u>8</u>	<u>1991</u>	<u>90-20097-03</u>
	month	day	year	
	<u>February</u>	<u>22</u>	<u>1991</u>	<u>90-20259-02</u>
	month	day	year	

(If different than above):

5. Original District/Office: _____

6. Original Docket Number : _____

7. List each violation and determine the applicable grade {see §7B1.1}:

<u>Violation(s)</u>	<u>Grade</u>
<u>Drug Use</u>	<u>B</u>
<u>Failure to comply with Drug Treatment Program</u>	<u>C</u>
8. Most Serious Grade of Violation (see §7B1.1(b))	<u>B</u>
9. Criminal History Category (see §7B1.4(a))74	<u>III</u>

10. Range of imprisonment (see §7B1.4(a))

8 - 14 months

Being originally convicted of a Class B Felony the Statutory Maximum is 36 months.

11. Sentencing Options for Grade B and C violations Only (Check the appropriate box):

- { } (a) If the minimum term of imprisonment determined under § 7B1.4 (Term of Imprisonment) is at least one month but not more than six months, § 7B1.3(c)(1) provides sentencing options to imprisonment.
- {X} (b) If the minimum term of imprisonment determined under §7B1.4 (Term of Imprisonment) is more than six months but not more than ten months, § 7B1.3(c)(2) provides sentencing options to imprisonment.
- { } (c) If the minimum term of imprisonment determined under § 7B1.4 (Term of Imprisonment) is more than ten months, no sentencing options to imprisonment are available.

Mail documents to: United States sentencing Commission, 1331 Pennsylvania Avenue, N.W.

Defendant: Ralph Bernard Bruno

12. Unsatisfied Conditions of Original Sentence

List any restitution, fine community confinement, home detention, or intermittent confinement previously imposed in connection with the sentence for which revocation is ordered that remains unpaid or unserved at the time of revocation {see § 7B1.3(d)}:

Restitution <u> N/A </u>	Community Confinement <u> N/A </u>
Fine <u> N/A </u>	Home Detention <u> N/A </u>
Other/Special Assessment <u> N/A </u>	Intermittent Confinement <u> N/A </u>

13. Supervised Release

If probation is to be revoked, determine the length, if any, of the term of supervised release according to the provisions of § 5D1.1-1.3 {see § 7B1.3(g) (1)}.

Term: to years

If supervised release is revoked and the term of imprisonment imposed is less than the maxim term of imprisonment upon revocation, the defendant may, to the extent permitted by law, be ordered to recommence supervised release upon release from imprisonment {see 18U.S.C. § 3583(e) and § 7B1.3(g) (2)}.

Period of supervised release to be served following release from imprisonment:

14. Departure

List aggravating and mitigating factors that may warrant a sentence outside the applicable range of imprisonment:

15. Official Detention Adjustment {see § 7B1.3(e)}: Adjust Months months Adjust Days days

**Mail documents to: United States Sentencing Commission, 1331 Pennsylvania Avenue, N.W.
Suite 1400, Washington, D.C., 20004, Attention: Monitoring Unit**



Notice of Distribution

This notice confirms a copy of the document docketed as number 100 in case 2:90-CR-20097 was distributed by fax, mail, or direct printing on October 18, 2005 to the parties listed.

Stuart J. Canale
U.S. ATTORNEY'S OFFICE
167 N. Main St.
Ste. 800
Memphis, TN 38103

Doris A. Randle-Holt
FEDERAL PUBLIC DEFENDER
200 Jefferson Ave.
Ste. 200
Memphis, TN 38103

Honorable Samuel Mays
US DISTRICT COURT